



825 NE Multnomah, Suite 2000
Portland, Oregon 97232

April 10, 2020

VIA ELECTRONIC FILING

Public Utility Commission of Oregon
201 High Street SE, Suite 100
Salem, OR 97301-3398

Attn: Filing Center

**RE: UM 1631—PacifiCorp's Application for a Partial Waiver of OAR 860-021-0410,
Emergency Medical Certificate for Residential Electric and Gas Service
(Expedited Consideration Requested)**

In accordance with OAR 860-021-0005, PacifiCorp submits for filing its application requesting a temporary, partial waiver of Oregon Administrative Rule (OAR) 860-021-0410, Emergency Medical Certificate for Residential Electric and Gas Service. Specifically, PacifiCorp requests a temporary, partial waiver for the next six months of the requirements in OAR 860-021-0410(2) and (4). PacifiCorp requests expedited consideration by the Public Utility Commission of Oregon to prevent unnecessary burdens on PacifiCorp's customers and medical professionals during the ongoing public health emergency in Oregon caused by COVID-19.

Informal inquiries regarding this filing may be directed to Cathie Allen, Manager, Regulatory Affairs Manager, at (503) 813-5934.

Sincerely,

A handwritten signature in blue ink, appearing to read "Michael Wilding".

Michael Wilding
Director, Regulation

Enclosures

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 1631

In the Matter of

PACIFICORP d/b/a PACIFIC POWER

Application for Partial Waiver of OAR 860-021-0410, Emergency Medical Certificate for Residential Electric and Gas Service

PETITION OF PACIFICORP

Expedited Consideration Requested

In accordance with OAR 860-021-005, PacifiCorp d/b/a/ Pacific Power (PacifiCorp) requests the Public Utility Commission of Oregon (Commission) grant a temporary, partial waiver of OAR 860-021-0410, Emergency Medical Certificate for Residential Electric and Gas Service, effectively immediately. PacifiCorp specifically requests partial waiver of subsections (2) and (4) of OAR 860-021-0410 to respond to the COVID-19 public health emergency.

PacifiCorp requests expedited consideration of this petition to facilitate the timely response to the COVID-19 public health emergency. Good cause exists to grant the waiver request to prevent customer confusion regarding the need to schedule unnecessary medical appointments. Expedited consideration is appropriate because there is no harm to customers and to timely communicate the revised requirements to customers.

I. BACKGROUND

On Sunday, March 8, 2020, Oregon’s governor declared a state of emergency in response to the COVID-19 virus. The COVID-19 public health emergency has put a strain on the state’s health and medical professionals and Oregonians have been asked to remain home as much as possible during the emergency.

OAR 860-021-0410 provides customers with the ability to submit an emergency medical certificate from a qualified medical professional to the energy utility that would allow the customer the ability to enter into extended payment arrangements to avoid disconnection of service for non-payment. Both OAR 860-021-0410(2) and (4), however, require that requests for an emergency medical certificate and the renewal of an existing emergency medical certificates be accompanied by a medical professional's certification. Specifically, OAR 860-021-0410(2) requires that an oral certification to the utility must be confirmed in writing within 14 days by the qualified medical professional prescribing medical care. Likewise, OAR 860-021-0410(4) requires that an emergency medical certificate shall be valid only for the length of time the health endangerment is certified to exist, but no longer than six months without renewal for certificates not specifying chronic illnesses and no longer than 12 months for certificates specifying illnesses identified as chronic by a qualified medical professional.

II. DISCUSSION

While PacifiCorp is currently suspending disconnection of service during the COVID-19 public health emergency, OAR 860-021-0410(2) and (4) continue to require that a customer provide written medical certification to the energy utility for a new medical condition or a medical certificate renewal. PacifiCorp seeks clarification through this waiver request to prevent customers with medical conditions believing that they must leave their homes to get written certification. This will also mitigate against unnecessary medical appointments during the COVID-19 public health emergency.

PacifiCorp requests a temporary, partial waiver of OAR 860-021-0410(2) and (4) to allow customers additional time to obtain a written certification from a medical professional. Specifically, PacifiCorp requests that the requirement in OAR 860-021-0410(2) that a

customer provide written certification from a qualified medical professional within 14 days after oral certification be temporarily waived to allow PacifiCorp's customers to provide written certification from a qualified medical professional within six months of an oral certification under the regulation.

PacifiCorp also requests a temporary, partial waiver of OAR 860-021-0410(4). OAR 860-021-0410(4) allows for medical certificates to be valid for no longer than the medical condition exists and must be renewed every six or 12 months, depending on the type of condition. The utility is required to notify the customer of the requirement to renew the medical certificate at least 15 days prior to the expiration of the medical certificate. PacifiCorp requests that the requirement in OAR 860-021-0410(4) be waived to allow PacifiCorp to extend all existing medical certificate expiration dates by six months. PacifiCorp currently has approximately 1,000 customers with medical certificates in Oregon. If granted, PacifiCorp would make a one-time extension of the expiration date of all existing medical certificates by six months and would not issue notification letters requiring the customer to renew the medical certificate. The company would also send a letter to customers with medical certificates on file to notify them of the actions taken on their behalf.

Granting this waiver is in the public interest. The requested waiver allows for customers to remain at home and avoids taxing healthcare professionals unnecessarily. There is no harm to PacifiCorp's other customers because PacifiCorp has already suspended disconnections. Granting this waiver request will provide additional protection for some of PacifiCorp's most vulnerable customers. Accordingly, good cause exists to grant PacifiCorp's request for this waiver.

PacifiCorp requests that this waiver of OAR 860-021-0410(2) and (4), in the manner requested above, be granted for a period of six months from approval. PacifiCorp will continue to monitor the COVID-19 public health emergency and will reassess the need to suspend written certification from a qualified medical professional prior to expiration of the waiver. An extension or termination to this waiver may be requested based on continuation of the COVID-19 public health emergency.

III. CONCLUSION

For all the reasons described above, PacifiCorp requests that the Commission approve this request for a waiver effective upon Commission approval.

Dated this 10th day of April, 2020.

Respectfully submitted,



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